

Description: Requires operators of coal and metal and nonmetal mines to keep records of specific tests and examinations of mine personnel hoisting systems, including wire ropes, to ensure that the systems remain safe to operate.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Noise Data Report Form and Calibration Records.

OMB Number: 1219-0037.

Frequency: Semi-annually; annually.

Affected Public: Business or other for-profit.

Type	Respondents	Estimated time per response (minutes)
Periodic surveys	253,440	21
Supplemental surveys ..	1,267	15
Survey/compl certs	2,534	6
Survey report	1,267	6
Calibration reports	4,300	3

Total Burden Hours: 89,616.

Description: Requires coal mine operators to report to MSHA when noise exposure surveys show noncompliance with permissible levels. Records are also required to be kept at the mine of when and by whom noise dosimeters and acoustical calibrators are recalibrated.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Escape and Evacuation Plans.

OMB Number: 1219-0046.

Frequency: Semi-annually.

Affected Public: Business or other for-profit.

Number of Respondents: 315.

Estimated Time Per Respondent: 8 hours.

Total Burden Hours: 7,560.

Description: Requires operators of underground coal mines to keep records of the results of mandatory weekly examinations of emergency escapeways. The records are used to determine that the integrity of the escapeways is being maintained.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Record of all Certified and Qualified Persons.

OMB Number: 1219-0049.

Frequency: Quarterly.

Affected Public: Business or other for-profit.

Number of Respondents: 18,580.

Estimated Time Per Respondent: 5 minutes.

Total Burden Hours: 1,542.

Description: Requires coal mine operators to maintain a list of persons who are certified and those who are qualified to perform duties which require specialized expertise at underground and surface coal mines. The recorded information is necessary to ensure that only persons who are properly trained and have the required experience are permitted to perform these duties.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Record of Mine Closure.

OMB Number: 1219-0073.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 1,000.

Estimated Time Per Respondent: 2 hours.

Total Burden Hours: 2,000.

Description: Requires that, whenever coal mine operators permanently close or abandon a coal mine or temporarily close a coal mine for a period of 90 days, they file with MSHA a copy of the mine map which is revised and supplemented to the date of closure. Maps are retained in a repository and are made available to mine operators of adjacent properties.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Applications for Approval of Sanitary Toilet Facilities.

OMB Number: 1219-0101.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 2.

Estimated Time Per Respondent: 8 hours.

Total Burden Hours: 16.

Description: Requires manufacturers of sanitary toilet facilities to obtain MSHA approval of units prior to use at coal mine operations. Approval of the facilities is required to ensure a healthier environment for miners.

Theresa M. O'Malley,

Acting Departmental Clearance Officer.

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Employment and Training Administration

[TA-W-29,504]

ALSCO Amerimark Building Products, Gnadenhutten, Ohio; Negative Determination on Remand

On April 7, 1995 the United States Court of International Trade (USCIT)

granted the Secretary's motion for a voluntary remand in *United Steelworkers of America, AFL-CIO-CLC, Local 4612 v. Secretary of Labor* No. 94-11-00698.

The workers filing under petition TA-W-29,504 were initially denied eligibility to apply for trade adjustment assistance ("TAA") on June 20, 1994, 59 FR 33786 (1994) and denied on application for reconsideration on September 16, 1994, 59 FR 49259 (1994).

The investigation findings showed that the plant melted scrap aluminum cans and rolled the aluminum into coils which were then painted. The smelter and rolling mill closed in December 1993.

The United Steelworkers of America ("USWA") and its Local 4612 claim that imports of Russian aluminum ingots and coil affected the pricing of aluminum coil.

In its notice of negative determination regarding the USWA, Local 4612 application for reconsideration, the Department found that the articles produced by workers at AlSCO Amerimark Building Products ("Amerimark") are coated or painted aluminum coil, not aluminum ingots or aluminum coil. Accordingly, the Department investigated whether imports of coated aluminum coil contributed importantly to the worker separations and Amerimark's decline in sales.

The Department's denial was based on the fact that the "contributed importantly" test of the Worker Group Eligibility Requirements of the Trade Act was not met. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The Department surveyed Amerimark's major customers for their purchases of painted aluminum coil for the years 1992, 1993, and the January-May time period of 1993 and 1994. None of the respondents reported decreasing their purchases from the subject firm while increasing their purchases of imports in the relevant period.

Other findings showed that Amerimark did not purchase ingots (foreign or domestic) for use in its production process for coated aluminum coil but purchased scrap aluminum cans.

On remand, the Department broadened its investigation to determine whether imports of aluminum coil met the "contributed importantly" test.

The new findings show that Amerimark's Gnadenhutten, Ohio aluminum smelting and rolling mill operation supplied the source of coils

for the final phase of production, coating or painting, until the closure of the smelter and rolling mill in December 1993.

Other findings show that once the smelting operations ceased, Amerimark produced the painted coils from domestically sourced aluminum sheet.¹ The Department conducted a survey of Amerimark's major suppliers to determine if the aluminum sheet sold to Amerimark in the last three years was produced domestically or obtained from outside sources. The respondents reported that they produced all aluminum sheet sold to Amerimark themselves, and did not purchase any of this aluminum sheet from other domestic sources.

The value of U.S. imports of aluminum plate, sheet and strip increased from 1992 to 1993, and in the first five months of 1994 compared to the first five months of 1993. Statistical data on U.S. imports as a whole, however, would not determine whether the Amerimark workers lost their jobs as a result of increased imports. Instead, this determination is made by surveying Amerimark's major customers to see whether they reduced their purchases of Amerimark products while increasing their imports of aluminum sheet during the period in question.

Customer survey findings show that the Amerimark customers that purchased painted aluminum coils from Amerimark, purchased aluminum sheet from other domestic sources. One customer indicated purchases of aluminum sheet from domestic sources and from brokers for foreign firms. However, this same customer increased

its purchases of painted aluminum coil from Amerimark in 1993 compared to 1992, and in the first five months of 1994 compared to the first five months of 1993. Business Confidential Administrative Record at 105. Consequently, increased imports could not have contributed importantly to the workers' separations and Amerimark's decline in sales because Amerimark's major customers either did not import articles like or directly competitive with Amerimark's products, or increased their purchases of Amerimark's products while importing foreign goods.

Conclusion

After review of the new investigative findings, I conclude that the determination was correct. Accordingly, the Amerimark workers' petition for trade adjustment assistance is denied.

Signed at Washington, DC, this 7th day of July 1995.

Victor J. Trunzo,

Program Director, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment

and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 31, 1995.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than July 31, 1995.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 10th day of July, 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade, Adjustment Assistance.

Appendix

PETITIONS INSTITUTED ON 07/10/95

TA-W	Subject firm (petitioners)	Location	Date of petition	Product(s)
31,214	Buddy L Inc. (Wkrs)	Gloversville, NY	06/26/95	Steel Wall Swimming Pools
31,215	Buddy L Inc. (Wkrs)	Gloversville, NY	06/26/95	Steel Wall Swimming Pools
31,216	Buddy L Inc. (Wkrs)	Mayfield, NY	06/26/95	Steel Wall Swimming Pools
31,217	Buddy L Inc. (Wkrs)	New York, NY	06/26/95	Steel Wall Swimming Pools
31,218	Dana Corp. (Wkrs)	Corinth, MS	06/23/95	Hydraulic Pumps
31,219	Geneva Steel (USWA)	Provo, UT	06/26/95	Steel
31,220	Stride-Rite Corp (UFCW)	Fulton, MO	06/29/95	Sandals
31,221	M. Lidz, Inc. (Co)	Wilkes-Barre, PA	06/26/95	Supplies Sewing Thread
31,222	Pamco Shoe Machinery Co (Wkrs)	Lewiston, ME	06/22/95	Shoe Machinery
31,223	T & W Forge, Inc. (BBF)	Alliance, OH	06/23/95	Connecting Rods & Camshafts
31,224	R Manufacturing (Wkrs)	Lilly, PA	06/23/95	Dresses & Ladies' Suits
31,225	Mason Shoe (UFCW)	Chippewa Falls, WI	06/27/95	Ladies' & Mens' Shoes
31,226	American Steel Corp. (Wkrs)	Detroit, MI	06/21/95	Steel
31,227	CMI Industries, Inc (Wkrs)	Rolling Fork, MS	06/26/95	Elastic Fabric
31,228	E-Systems (Wkrs)	Greenville, TX	06/27/95	Aircraft Modifications
31,229	Powerex, Inc. (IBEW)	Youngwood, PA	06/01/95	Power Semiconductors

¹ In accordance with industry practice, the term "aluminum sheet" is used interchangeably with "aluminum coil" here.